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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MAXIMILIANO WILFRIDO RIOS RUIZ,

Defendant.

CASE NO. 1:20-CR-00093-JLT-SKO

PRELIMINARY ORDER OF
FORFEITURE

Based upon the plea agreement entered into between the United States of America and defendant Maximiliano Wilfrido Rios Ruiz, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

1. Pursuant to 21 U.S.C. § 853(a), defendant Maximiliano Wilfrido Rios Ruiz's interest in the following property shall be condemned and forfeited to the United States of America, to be disposed of according to law:

- a. Two Apple iPhones; three camera lens; Samsung Galaxy S7 Edge;
- b. All packaging material to include plastic baggies;
- c. Weighmax Digital Scale, serial number S170917176;
- d. Safariland Holster, Rock Island Armory pistol case;
- e. Indicia for Maximiliano Ruiz and white box containing gang indicia; and,
- f. P.A.C.A. body armor vest.

2. The above-listed property constitutes or is derived from proceeds obtained, directly or indirectly, as a result of a violation of 21 U.S.C. §§ 846 and 841(a)(1), and/or was used, or intended to be used, in any manner or part to commit or to facilitate the commission of a violation of 21 U.S.C. §§ 846

1 and 841(a)(1).

2 3. Pursuant to Rule 32.2(b)(3), the Attorney General (or a designee) shall be authorized to
3 seize the above-listed property. The aforementioned property shall be seized and held by the U.S.
4 Customs and Border Protection/Homeland Security Investigations, in its secure custody and control.

5 4. a. Pursuant to 21 U.S.C. § 853(n), and Local Rule 171, the United States shall
6 publish notice of the order of forfeiture. Notice of this Order and notice of the Attorney General's (or a
7 designee's) intent to dispose of the property in such manner as the Attorney General may direct shall be
8 posted for at least 30 consecutive days on the official internet government forfeiture site
9 www.forfeiture.gov. The United States may also, to the extent practicable, provide direct written notice
10 to any person known to have alleged an interest in the property that is the subject of the order of
11 forfeiture as a substitute for published notice as to those persons so notified.

12 b. This notice shall state that any person, other than the defendant, asserting a legal
13 interest in the above-listed property, must file a petition with the Court within sixty (60) days from the
14 first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or
15 within thirty (30) days from receipt of direct written notice, whichever is earlier.

16 5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court
17 will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(a), in which all interests will be
18 addressed.

19 IT IS SO ORDERED.

20 Dated: **May 11, 2023**

21 
UNITED STATES DISTRICT JUDGE